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*Attorneys for Irving H. Picard, Trustee  
for the substantively consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

FEDERICO CERETTI, et al.,

Defendants.

Adv. Pro. No. 09-1161 (SMB)

**DECLARATION OF GONZALO S. ZEBALLOS, ESQ.  
IN SUPPORT OF TRUSTEE'S OPPOSITION TO FIM DEFENDANTS'  
MOTION FOR SANCTIONS AGAINST THE TRUSTEE AND HIS COUNSEL**

Gonzalo S. Zeballos, Esq. hereby declares as follows:

1. I am a member of the Bar of the State of New York and this Court, and I am a partner at Baker & Hostetler LLP, attorneys for plaintiff Irving H. Picard, as trustee for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the estate of Bernard L. Madoff.

2. I am fully familiar with the facts set forth herein based either upon my own personal knowledge or upon information conveyed to me that I believe to be true. I make this Declaration to submit, for the Court's convenience and ease of reference, a true and correct copy of the following documents:

- A. Attached hereto as **Ex. A** is a true and correct copy of a letter dated May 5, 2014 from Jodi A. Kleinick, Esq. of Paul Hasting LLP to me.
- B. Attached hereto as **Ex. B** is a true and correct copy of a letter dated May 6, 2014 from John J. Burke, Esq. to Ms. Kleinick.
- C. Attached hereto as **Ex. C** is a true and correct copy of a letter dated August 21, 2014 from Ms. Kleinick to Hon. Stuart M. Bernstein.
- D. Attached hereto as **Ex. D** is a true and correct copy of a letter dated August 25, 2014 from me to Ms. Kleinick, with exhibits thereto.
- E. Attached hereto as **Ex. E** is a true and correct copy of a letter dated September 2, 2014 from Ms. Kleinick to me.
- F. Attached hereto as **Ex. F** is a true and correct copy of a letter dated September 9, 2014 from me to Ms. Kleinick.
- G. Attached hereto as **Ex. G** is a true and correct copy of a letter dated October 29, 2014 from Ms. Kleinick to David J. Sheehan, Esq., Mr. Burke, and me, with exhibits thereto.

- H. Attached hereto as **Ex. H** is a true and correct copy of a letter dated October 29, 2014 from me to Ms. Kleinick.
- I. Attached hereto as **Ex. I** is a true and correct copy of a letter dated October 30, 2014 from Ms. Kleinick to Mr. Sheehan, Mr. Burke, and me.
- J. Attached hereto as **Ex. J** is a true and correct copy of an e-mail dated October 31, 2014 from me to Ms. Kleinick, Mr. Burke, and Mr. Sheehan.
- K. Attached hereto as **Ex. K** is a true and correct copy of an e-mail dated October 31, 2014 from Ms. Kleinick to Mr. Sheehan, Mr. Burke, and me.
- L. Attached hereto as **Ex. L** is a true and correct copy of an e-mail dated October 31, 2014 from me to Ms. Kleinick, Mr. Sheehan, Mr. Burke, and Geraldine E. Ponto, Esq.
- M. Attached hereto as **Ex. M** is a true and correct copy of an e-mail dated October 31, 2014 from Ms. Kleinick to Mr. Sheehan, Mr. Burke, Ms. Ponto, and me.
- N. Attached hereto as **Ex. N** is a true and correct copy of an e-mail dated November 3, 2014 from Ms. Kleinick to Mr. Sheehan, Mr. Burke, Ms. Ponto, and me.
- O. Attached hereto as **Ex. O** is a true and correct copy of an e-mail dated November 3, 2014 from me to Ms. Kleinick, Mr. Sheehan, Ms. Ponto and Mr. Burke.
- P. Attached hereto as **Ex. P** is a true and correct copy of an e-mail dated November 3, 2014 from Ms. Kleinick to Mr. Sheehan, Mr. Burke, Ms. Ponto, and me.
- Q. Attached hereto as **Ex. Q** are true and correct copies of excerpts from the November 19, 2014 Status Conference.

Pursuant to 28 U.S.C. § 1746, I hereby declare under penalty of perjury that the foregoing statements made by me are true and correct.

Dated: February 18, 2015  
New York, New York

/s/ Gonzalo S. Zeballos  
Gonzalo S. Zeballos